

CITY OF SAINT MARYS COUNCIL WORKSESSION

277

December 3, 2007

CALL TO ORDER

A Council worksession of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, December 3, 2007 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 11 LaFayette Street. Notice of this meeting was sent to Council Members on November 29, 2007, posted at City Hall, and published in the Daily Press.

ROLL CALL

Present: Mayor Sally Geyer, Dennis Nero, Thomas Farley, Mark Kopp, Steven Skok, Richard Dornisch, Sean Gabler, and Public Works Director Michael Mullaney

Absent: City Manager David Greene (excused)

VISITORS

Visitors included: Rick Gabler, Jr., Jack Gabler, Jeremy Gabler, Carol Muhitch, Dan Hepner, Warren Stewart, Tina Gradizzi, and Richard Sadley

APPROVAL OF MINUTES  
November 13, 2007

Mark Kopp made a motion to approve the minutes of November 13, 2007, seconded by Steven Skok, and all were in favor, except Dennis Nero and Thomas Farley both abstained.

November 19, 2007

Sean Gabler made a motion to approve the minutes of November 19, 2007, seconded by Richard Dornisch, all were in favor.

CITIZEN COMMENTS ON  
AGENDA TOPICS

Dan Hepner asked to speak later under the proposed Ordinance No. 238.

**Agenda Change**  
Sewage Facilities  
Planning Module  
John Gabler, Kay  
Fork Road

Mayor Geyer stated there will be a change in the agenda. The Sewage Facilities Planning Module for John Gabler will be presented at this time.

The planning module for John Gabler was resubmitted for approval. A memo was received from Matthew Pfeufer, Zoning Officer, explaining the comments previously questioned by City Council. The planning module application proposes an on-lot sewage disposal system consisting of a septic tank for solids separation, a peat filter, an ultraviolet disinfection unit, and an at-grade absorption area for a new single family dwelling.

Michael Mullaney stated on page 2 of the memo, it noted the proposed well on the plot plan is outside of the isolation distances for sewage facilities, per DEP's requirements, as follows:

1. Treatment tanks, lift pump tanks, filter tanks, and chlorine/storage tanks is 50 feet.

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2. Perimeter of the aggregate in the absorption area is 100 feet.
3. Wetted perimeter of the spray field is 100 feet.

Mr. Mullaney also stated Mr. Pfeufer felt John Gabler was in 100% compliance with these requirements.

Thomas Farley made a motion to approve the Sewage Facilities Planning Module, seconded by Dennis Nero, and all were in favor.

**LEGISLATIVE ACTION**  
Collection Agreement  
Elk Waste Services

The Collection Agreement between the City and Elk Waste Services was presented. Corrections were made and a list of all the roads that will have curbside recycling effective January 1, 2008 was attached. It was noted that Elk Waste has reviewed the agreement and was satisfied with it.

Dennis Nero made a motion to approve the Collection Agreement, with a stipulation that Elk Waste signs it, seconded by Mark Kopp, and all were in favor.

Appointment to the  
County's Solid Waste  
Citizens Advisory  
Committee

Michael Mullaney stated a letter was received from Elk County Solid Waste Authority noting that the Commissioners will be creating a "Solid Waste Citizens Advisory Committee" composed of at least 14 members. The Authority requested that all municipalities submit a name for appointment to the Advisory Committee. City Manager recommended Matthew Pfeufer to represent the City.

Matthew Pfeufer  
Recommended

Dennis Nero made a motion to recommend the appointment of Matthew Pfeufer to the Solid Waste Citizens Advisory Committee, with the stipulation that Mr. Pfeufer accepts, seconded by Richard Dornisch, and all were in favor.

2008 Minimum  
Municipal Obligation  
(Revised)

Carol Muhitch, Finance Director, explained the reason for the "revised 2008 MMO". Ms. Muhitch stated in September of this year, Council received the 2008 MMO Reports for the pension funds. The amount due for the Police Pension Fund was \$78,464.59 and for the Non-Uniformed Pension fund was at \$113,291.38. These figures were based on the January 1, 2005 actuarial valuation that Conrad Siegel, Inc. prepared for the City.

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Tom Zimmerman, from Conrad Siegl, Inc. has just completed the actuarial valuation for January 1, 2007 and has stated the valuations derived lower costs due to the favorable investment returns in 2005 and 2006. Therefore, the City would like to revise the 2008 MMOs to use the January 1, 2007 valuations. The Police Pension MMO requirement will go from \$78,464.59 to \$49,100.56 and the Non-Uniform pension plan MMO requirement will go from \$113,291.38 to \$83,158.65 for a total savings to the City of \$59,496.76.

Steven Skok made a motion to approve the revised MMOs. The motion was seconded by Thomas Farley.

Dennis Nero asked if this will effect the budget. He was informed it would not.

Motion Passed

**Consider for Publication**  
Resolution No. 07-24 re:  
Sewage Rate Increase  
\$2.00 per month base  
rate

All were in favor to approve the revised MMOs.

Resolution No. 07-24 was presented to increase the sanitary sewer base rate \$2.00 per month. Currently the base rate is \$15.00 per month. Effective January 1, 2008, the base rate would be \$17.00 per month. The funds will be dedicated to the Sanitary Sewage System Reserve Fund to address the City's "Inflow and Infiltration" of non-sewage water into the sanitary sewer collection system and the Wastewater Treatment Plant.

Richard Dornisch noted this increase was discussed at length during the last meeting and his only concern is that the public needs to know exactly what the increase is for. Mayor Geyer noted the Resolution clearly states the funds will be dedicated to the Sanitary Sewage System Reserve Fund for I&I.

Thomas Farley made a motion to publish Resolution No. 07-24. The motion was seconded by Steven Skok.

Sean Gabler expressed his concerns regarding the \$2.00 increase in January, 2008. He felt the public should be made more aware of the increase. Mr. Gabler stated he would be more comfortable with an increase on January 1, 2009 instead of January 1, 2008.

Thomas Farley felt this was the perfect time to increase the sewage rates, since there was no tax rate increase for 2008.



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Thomas Farley suggested that City staff prepare a press release to explain what this money is going to be used for, what the \$2.00 increase is all about, and get the article printed in the newspaper.

Sean Gabler stated, if this Resolution is passed, the information should also be placed on the City's web site.

Motion Passed  
by Majority Vote

After further discussion, all were in favor of the motion to publish Resolution No. 07-24, except Sean Gabler who opposed. The motion passed by majority vote.

Press Release

Thomas Farley made a motion that City staff produce a press release regarding this issue. I would like to see this press release in the paper, on the web site, local TV channel or any other place. The article should be dated December 6th. The motion was seconded by Richard Dornisch.

Dennis Nero added the news release should also be placed in all three major newspapers.

Motion Passed

All were in favor to have City staff prepare a press release.

Ordinance No. 238 re:  
Increasing the  
Indebtedness \$5,500,000.

Ordinance No. 238 was presented to increase the indebtedness of the City by the issue of a General Obligation note in the amount of \$5,500,000. for sundry purposes, fixing the form, number, date, interest; and maturity thereof; making a covenant for the payment of the debt service on the note, providing for the filing of the required document; providing for the appointment of a sinking fund depository for the note; and authorizing execution, sale and delivery thereof. The purpose of the increased indebtedness is for the Downtown Revitalization Project.

Carol Muhitch, Finance Director, explained the City received a \$4 million dollar grant from the Redevelopment Assistance Capital Program and \$1.5 million dollars from the DCED Growing Greener II grant for the Downtown Revitalization Project for the parking garage. All the costs are reimbursable. When the City receives a bill, it will be paid with the line of credit and then the City will be reimbursed through the grants.

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Ms. Muhitch noted out of the four proposals received from the banks in town, Northwest Savings Bank came back with two options. Option No. 1 is a 4.41% fixed qualified tax-free rate. Option 2 is 65% of prime on a floating rate basis. She recommended to go with Option No. 1 from Northwest Savings Bank. She stated the City would only draw down funds when needed and that the City will be reimbursed from the grants.

Dan Hepner, Citizen

Dan Hepner, citizen, questioned if the interest on the line of credit is included as part of the grant money.

Ms. Muhitch stated under the \$4 million dollar grant, it is not. She did not know about the \$1.5 million dollar grant. She added there are other funds for this project coming from other sources (i.e. HRA, ATA, and the Parking Authority). She felt all this money combined will cover the interest.

Dennis Nero stated that before the ordinance is adopted, more information is needed from the City Manager.

Sean Gabler made a motion to publish Ordinance No. 238 and we can always ask more questions when the ordinance is considered for adoption. The motion was seconded by Mark Kopp and all were in favor.

**Consider for Adoption**  
Resolution No. 07-25  
re: Municipal Authority  
(\$500,000. contribution)

Resolution No. 07-25 was presented to address the Inflow and Infiltration of non-sewage water into the sanitary sewer collection system and the Wastewater Treatment Plant. The resolution directs the St. Marys Municipal Authority to contribute \$500,000. in funds, such funds to be transferred into the City of St. Marys Sanitary Sewage Reserve Fund, for the sole purpose of financing projects that shall reduce the inflow and infiltration of non-sewage water into the sanitary sewer collection system and the Wastewater Treatment Plant.

Michael Mullaney noted that if the City receives the \$500,000. from the Municipal Authority, a major project could be planned for next year or just a portion of a line.

Mayor Geyer asked how can we adopt this Resolution when it was not published. It was explained resolutions do not have to be published and that the only reason the resolution with the \$2.00 increase is being published is to inform the public.

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## 1st Motion

Dennis Nero made a motion to adopt Resolution No. 07-25. The motion was seconded by Sean Gabler.

Steven Skok was concerned that no time line was stated in the resolution telling the Authority when they have to transfer the money to the City.

## Amended Motion

Dennis Nero amended his motion stating the time line should be April 30, 2008. The amended motion was seconded by Sean Gabler and all were in favor.

Resolution No. 07-26  
re: Request for  
additional funding  
from DCED (\$350,000.)

Resolution No. 07-26 was presented authorizing the filing of a proposal for funds with the Department of Community and Economic Development. The City has obtained \$150,000. and is desirous of obtaining additional funds from DCED in the amount of \$350,000. for the prevention and elimination of blight.

Resolution No. 07-26  
Tabled until next  
Meeting

Dennis Nero made a motion to table Resolution No. 07-26 until the next meeting because there is no explanation, seconded by Mark Kopp, and all were in favor.

## TOPICS FOR DISCUSSION

Mayor Geyer stated the City's Solicitor Stephen French recommended another attorney look over our cable contract and felt Mr. French would probably like an answer if the City would like to hire this person for a fee of \$11,680.

Thomas Farley suggested that the Manager review the proposed draft agreement from the T.V. Co. where they increased the franchise fees to the City. Mr. Farley would like to see Council meetings advertised as part of the agreement.

Executive Session  
to be held December  
17, 2007 at 6:00 p.m.

Council decided to hold an Executive Session regarding legal issues concerning the T.V. Franchise Agreement on Monday, December 17, 2007 at 6:00 p.m. Solicitor French should also be informed of this Executive Session.

Plastic Drop Off  
Program

A proposal for a "Plastic Drop Off Program" was presented. The Girl Scouts would like to begin a program for collecting plastic #1 and #2 bottles. They would like to utilize the scout house located in Memorial Park. Residents would have the opportunity to drop off their plastic bottles every Saturday from 8:00 a.m. to 1:00 p.m.

Boy Scout Troop 99 opposed the use of the Scout Building. They are not against the program but felt the scout house or the park was not the place for it.



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Tina Gradizzi, Recycling Coordinator, noted an alternate location is being sought. She asked for Council's assistance with the purchasing of containers.

After a lengthy discussion, Council felt they should look for an alternate site. Possibly Kaulmont Park, if restrooms are available.

Tina Gradizzi noted that if the site would be in one of the City's parks, they would need snow removal.

Carol Muhitch, Finance Director, stated snow removal on Saturdays would mean overtime for the City Crew and that this item is not in the budget.

Richard Dornisch felt that a private site could be found.

COUNCIL COMMENTS

Mark Kopp inquired about the Street Department's third shift. Michael Mullaney responded the third shift usually starts after hunting season.

Dennis Nero noted he will be starting to take pictures of the situation on N. St. Marys Street.

Mayor Geyer commented how nice the diamond area looks with the Christmas lights.

Mayor Geyer also noted that she has enjoyed working with Mark Kopp the past two years.

Warren Stewart, Citizen

Warren Stewart expressed his opinion on the free parking in the downtown area. He noted that a lot of parking meters have been removed which could account for the \$3,000. loss in revenue last year.

ANNOUNCEMENTS

Mayor Geyer made the following announcements:

- A public hearing regarding the City's 2008 Budget will be held on December 17, 2007 at 7:00 p.m. in the Council Room.
- Next Council meeting will be held on Monday, December 17, 2007 at 7:00 p.m. in the Council Room.

ADJOURNMENT

Mark Kopp made a motion to adjourn the meeting.

Shirley Dicklass  
Recording Secretary

Sally Geyer  
Mayor